



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

'07 MJ 8905

UNITED STATES OF AMERICA,
Plaintiff,
vs.
Tomas SANTILLANES-Lopez
Defendant.

Magistrate Case No.:
COMPLAINT FOR VIOLATION OF
21 U.S.C. § 952 and 960
Importation of a Controlled Substance
(Felony)

The undersigned complainant being duly sworn states:

That on or about November 4, 2007, within the Southern District of California, defendant Tomas SANTILLANES-Lopez did knowingly and intentionally import approximately 19.00 kilograms (41.80 pounds) of cocaine, a Schedule II Controlled Substance, into the United States from a place outside thereof, in violation of Title 21, United States Code, Sections 952 and 960.

The complainant states that this complaint is based on the attached Statement of Facts incorporated herein by reference.


Special Agent
U.S. Immigration and
Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 5th
DAY OF NOVEMBER 2007.


PETER C. LEWIS
UNITED STATES MAGISTRATE JUDGE

1 **UNITED STATES OF AMERICA**

2 **v.**

3 **Tomas SANTILLANES-Lopez**

4
5 **STATEMENT OF FACTS**

6
7 This statement of facts is based on the reports, documents, and notes furnished
8 to U.S. Immigration and Customs Enforcement Special Agent Jeffrey Gilgallon.

9 On November 4, 2007, at approximately 0704 hours, Tomas SANTILLANES-
10 Lopez attempted to enter the United States from the Republic of Mexico through the
11 West Calexico, California Port of Entry. SANTILLANES was the driver and registered
12 owner of a 1999 Nissan Sentra. Andrea Hernandez-Mendoza and her minor son
13 accompanied SANTILLANES.

14 U.S. Customs and Border Protection Officer (CBPO) R. Torres received a
15 negative oral Customs declaration from SANTILLANES. CBPO Torres referred
16 SANTILLANES to the vehicle secondary inspection area.

17 In vehicle secondary, SANTILLANES told CBPO G. Valenzuela he was only
18 bringing an ice chest from Mexico. A Human/Narcotic Detector Dog (HNDD) alerted to
19 the rear seat of the vehicle. Officers subsequently discovered a total of seventeen (17)
20 packages concealed within the gas tank of the vehicle. The packages field-tested
21 positive for the presence of cocaine. The total weight of the packages was
22 approximately 19.00 kilograms (41.80 pounds).

23 SANTILLANES was placed under arrest and advised of his Miranda Rights.
24 SANTILLANES stated he understood his rights and agreed to answer questions.
25 SANTILLANES stated he was paid \$500.00 in advance for expenses while smuggling
26 the narcotics into the United States. SANTILLANES said he and his family were
27 threatened by two individuals in Mexico to smuggle narcotics. SANTILLANES said he
28 was told his family would not be harmed if he smuggled narcotics six times for these
29 individuals. SANTILLANES stated this was his third attempt smuggling narcotics in this

1 vehicle. SANTILLANES exonerated Hernandez. Hernandez said she did not know
2 about the narcotics in the vehicle.

3 Hernandez and her son were released. SANTILLANES was booked into the
4 Imperial County Jail pending his initial appearance before a U.S. Magistrate Judge.